

April 18, 2013

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
APRIL 18, 2013**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Apostle Juanita Edwards, Founder and Overseer of Newborn Church of Faith in Christ, followed by the Pledge of Allegiance to the Flag.

The Minutes of the April 4, 2013 meeting of City Council and the Summary Minutes of the City Council Work session and City Manager's Briefing on April 4, 2013 were approved upon motion of Alderman Osborne, seconded by Alderman Shabazz, and unanimously carried.

PRESENT: Mayor Edna B. Jackson, Presiding
Mayor Pro-Tem Van R. Johnson, II
Alderman Tony Thomas, Chairman of Council
Alderman Mary Osborne, Vice-Chairman of Council
Aldermen Mary Ellen Sprague, John Hall, Estella Shabazz,
Carol Bell and Tom Bordeaux

City Manager Stephanie Cutter
City Attorney W. Brooks Stillwell
Assistant City Attorneys William W. Shearouse & Lester B. Johnson, III

Upon motion of Alderman Johnson, seconded by Alderman Thomas, approval was given for the Mayor to sign an affidavit and resolution for an Executive Session held today to discuss personnel, where no votes were taken (SEE RESOLUTIONS).

PRESENTATIONS

An appearance by Terri O'Neil, Historic Savannah Foundation Development Director, and Katherine Albert, Preservation Festival Public Relations Chair, to invite the Mayor and Aldermen to attend the May 2nd Launch Party at Ships of the Sea Museum's North Garden for the second annual Preservation Festival. Tickets and details of the Launch Party are on the website. She invited Council members and recognized Dickey Mopper for his contributions to the festival. Ms. Albert stated that the image on the Preservation poster that was presented to Council members was created by Palen Massey a student at Gadsden Elementary School. They will have the poster contest again this year. Ms. Albert then outlined the festival activities during the month of May. For additional

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information you can visit HFS.org. Mayor Jackson thanked them for bringing this to the community and she encouraged the citizens of Savannah to attend.

Mayor Jackson introduced Connie Hall, District 3 Board of Public Education Representative, to recognize the Sol C. Johnson High School Atom Smashers, Georgia High School Association (GHSA) Basketball Class AAA State Champions; Mrs. Hall stated two of the schools in her district are here today. Dr. Lockamy is unable to attend due to a family illness in Virginia, but she has with her Mr. Kurt Hennigar, Director of Communications for the Board of Education. The three team Captains are: Tim Quarterman, who signed with Louisiana State University and has been named Atlanta Journal Constitution Georgia State AAA Player of the Year, WTOC Player of the Year, Savannah Morning News Player of the Year and Region AAA Player of the Year, Saadiq Muhammad and Greg Mortimer. Utaff Gordon, Head Coach; who has been named Atlanta Journal Constitution Georgia State Class AAA Coach of the Year, WTOC Coach of the Year, Savannah Morning News Coach of the Year and Region AAA Coach of the Year. Also present today is Ms. Bernadette Ball-Oliver, Principal. Mrs. Hall asked Coach Gordon, Mr. Quarterman and Ms. Ball-Oliver to make comments and then the entire team would like to come around and shake Council member's hand. Ms. Oliver gave greetings on behalf of Sol C. Johnson and thanked Council for recognizing their accomplishments. Expect them to move on and do great things for our city and state. Coach Gordon introduced key coaching staff members who deserve most of the credit to their success. Mr. Richard Coleman, Mr. Earl Mason, Mr. Robert "Marco" Thomas, Mr. Todd Ellis and Terry Hines who are not here today. Mr. Quarterman thanked God, his family, team members, coaches and the City of Savannah. He said they plan to go to college to continue to make the City of Savannah proud. Mayor Jackson congratulated and thanked them for bringing home the state championship. Alderman Osborne asked that the young lady with the team be introduced. Coach Gordon introduced Tameka Thomas who keeps them together with their schedules and paperwork. Alderman Hall stated he wore a blue and orange tie as he is a graduate of Sol C. Johnson and he is so proud of this accomplishment.

Mayor Jackson called forward the Memorial Day School Matadors, to be recognized for becoming the Georgia Independent Schools Association (GISA) Basketball Class AA State Champions; Alderman Johnson stated that this is a perennial champion in our community; we are now the home of champions. Mr. Mark Sussman, Director of Athletics and Development thanked the members of Council for allowing them to be here today and all the credit goes to the team. Michael Thompson Head Coach thanked Council for allowing them to come to Council today to be honored. The team worked very hard and accomplished all their goals and this is the second year the team has brought the state championship home. It's great to see young men doing something positive and bringing it back to the community. We work with them to strive for excellence on every level. Thanked the team, Mr. Tony Welch who helped and supported him as coach and Memorial Day School for allowing him to coach this fine team. Mr. Welch also thanked Council stating they were a young team and plan to continue seeking excellence. Mayor Jackson congratulated the young men for their accomplishment and added how proud the city is of their bringing home this honor for the second time.

Mayor Jackson introduced Connie Hall, District 3 Board of Public Education Representative, to recognize Savannah High School Blue Jackets, the Georgia High School Association (GHSA) Basketball Class AAA 1st Runner Up. Ms. Hall called forward Tim Jordan, Head Coach and Coach George Johnson. Dr. Toney Jordan, the Principal could not be here today, but sends his greetings. She asked that the team also shake hands with the members of City Council. Coach Jordan said on behalf of the team he wants to thank the Mayor and Aldermen for having them here today. They are the only team that wears the City's name and it adds to the responsibility of representing Savannah so when they travel people know who they are. Savannah High is always in place of the team you need and want to beat. They have a good chance of going back as ten members of the team will be back next year. They played for the state championship last year and hopefully third time will be the charm. He introduced his team captain who is also an excellent student with a 3.79 grade point average and had received a scholarship for South Georgia State in Waycross, GA. He came forward and thanked Council for having them here today. Coach George Johnson came forward said he is very proud to be a part of the program and they are also producing student athletics. He has two female students who signed scholarships from his program to attend Middle Georgia State College in the fall. Their desire is to make good citizens for Savannah. He thanked Council for this recognition today. Mayor Jackson stated that Council is proud of their accomplishment. Alderman Johnson thanked the Coach and team for showing character and class. Alderman Bordeaux stated that he graduated from Savannah High School and although it is at another location, it is still Savannah High School. He saw them several years ago play for the championship and he remembers the friendship and bonds made in doing your best and 40 years from now you will not remember who holds the trophy more than the friendships and connections that were made as a team. Coach Jordan stated that Savannah High has more state championships than any other school in the state. Alderman Bell thanked Coach Jordan for his volunteer work in the community.

ALCOHOLIC BEVERAGE LICENSE HEARINGS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Johnson, seconded by Alderman Thomas, and carried, they were unanimously approved:

Nolan Wolf for BOF Industries KSAV, LLC t/a The Beer Growler, requesting a beer (package) license at 102 E. Liberty Street, which is located between Drayton and Floyd Streets in District 1. (New ownership/location) Recommend approval.

Deepak Bhagat for Dhruv Trading, Inc., requesting to transfer the 2013 liquor, beer and wine (package) license from Ashu Vaid at 8614 White Bluff Road, which is located between E. Montgomery Cross Road and Wesley Street in District 4. (New ownership/existing business) Recommend approval.

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Juan M. Rodriguez for Oliva Restaurant and Bar, LLC t/a Oliva Restaurant and Bar, requesting a liquor, beer and wine (drink) license with Sunday sales at 10 Whitaker Street, Unit C, which had a 2012 liquor, beer and wine license and is located between W. Bay and Bryan Streets in District 1. (New ownership/management) Recommend approval.

Krishan Gandhi for JG Food Mart Corporation, requesting a beer and wine (package) license at 2810 Skidaway Road, which is located between Rowland and Colorado Avenues in District 3. (New ownership/new location) Recommend approval. Alderman Hall asked that the owner come forward and asked where he lives. Mr. Gandhi said he resides in Pooler. Alderman Hall asked if he owned other businesses. Mr. Gandhi stated his family owns two hotels at the Savannah Airport and another at Hwy 204. Mr. Gandhi said he does not own a store on DeRenne Avenue. He does have a 50% partnership in the business at 2810 Skidaway Road. He does not own the building but is leasing it and does not know what will be housed at this location. He has six gaming locations in the store and the law only allows six. Alderman Hall asked if he was attentive to the previous location and the questions that were posed to the applicants. We expect the same compliance to the law as requested of others. Skidaway Road has been an eyesore for him and all he asks is that businesses do it right. Alderman Hall moved for approval of the application. Alderman Bordeaux added that at the last hearing the gentlemen stated he did not understand what was required of him as he had problems with the English language. He asked Mr. Gandhi if he understood his requirement to keep the property up to the standards of the ordinance. Mr. Gandhi stated he fully understands. Alderman Osborne said there are so many businesses in Savannah with property violations along with barber shop establishments. She asked that the assessment be kept evenly among businesses not just convenience stores. Alderman Shabazz asked how you can develop a list that everyone can abide by. Are there ordinances to provide consistency in the granting of these licenses? Alderman Johnson said we need to rewrite our ordinances as it applies to the Revenue ordinance. He then seconded the motion. Alderman Thomas said if we are going to be consistent we need to apply the same rules to everyone. We already issued several today that we asked for no additional requirements. He agrees with Alderman Johnson that it needs to be in the ordinance for everyone to follow. Several meetings ago we singled out a licensee with restrictions that are not required on others. Mayor Jackson said it is a beautiful store as she lives in the area and her desire is to see the look remain the same in this neighborhood. She asked that they review the new state ordinances in references to gaming machines. Alderman Bordeaux said in light of what has been said by Aldermen Osborne and Thomas, he is going to insist that every licensee be given the same hearing and questions when they come before Council. He is going to ask them if they are maintaining their property and understand the language. Mayor Jackson agreed we need fairness and she asked that the City Manager notify the petitioner to attend the meeting to answer questions. Alderman Osborne asked Judee Jones of the Revenue Department if similar monitoring is required of other businesses within the City. Ms. Jones said she did one yesterday. Alderman Bell said she would not like for us to start cherry picking applications. She felt the businesses should work out concerns with the Neighborhood Association and not give the impression that the Council would be imposing these restrictions. Alderman Osborne said the very first time this happened was

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a store on 37th and Florence. At that time they came before Council after repeated citations. Our Dean of Council, Alderman Clifton Jones said that we do not have the right to do that and if we are going to make changes it needs to be in the ordinance to prevent cherry picking. Mayor Jackson said the City Manager can give a recommendation to Council as all licenses do not necessarily have a neighborhood association to work with. Alderman Hall said he agreed with Alderman Bordeaux that the applicant needs to come before Council and get direction. In his opinion, neighborhood associations are good for businesses to meet with, but they can impose restrictions that are hard on a business and usually more than the elected official would impose and it is not fair. City Attorney Stillwell suggested that the City Attorney's office work with staff to address some of the issues Council have been raising on the alcoholic beverage licenses, littering and loitering. If Council could direct the City Manager and City Attorney to come up with a recommendation to address these issues, they will bring it back to Council for their consideration. Alderman Thomas stated he does know how we got here, but his experience is that the only time we have hearings is when there was an issue or problems or a license was brought back before Council. We now have more hearings than we ever had. He agreed that neighborhood associations can put unreasonable expectations on new businesses. To be fair with everyone, we need a consistent policy and should only see an applicant when there is a problem. It is unreasonable to think someone like Greg Parker is going to stand before us to review 30 licenses. Alderman Hall said the review could be one time for his entire license location to deliver the message. It is not his choice to review every license. Alderman Osborne asked that the draft of the ordinance be presented to Council at a workshop. Attorney Stillwell said certainly as staff is meeting with constituency groups to involve them in the process. Alderman Bordeaux said he did not know why one business owner would be treated any differently than all others. He said we can make sure we are not cherry picking or singling anyone out by bringing them all before Council. What we want to see is community involvement that is centered on Neighborhood Associations and you would think the local businesses would invite involvement of the community. Alderman Thomas responded that he made his point for simplification as we have several owners with numerous stores and in his opinion this is unreasonable. This Council has cherry picked and several weeks ago we had a business that we placed more restrictions on than ever before. If neighborhood associations had problems with stores, we have also brought them before Council. If you apply for a license with no history of any problems he doesn't feel every business owner needs to go through this process. Alderman Shabazz said in the area she represents, changes must occur and if not blight will continue. If it takes bringing everyone up here, she is for it. It is time for changes because of the history of allowing these infractions to continue. She then asked Attorney Stillwell when they may expect to get a recommendation. Attorney Stillwell said it may take several months. They are working to separate those who create the problems from those who abide by the rules and businesses should not be brought before this body unless necessary. Mayor Jackson said we have good business people in this community and how they address this may or may not require every business to come before Council. We have become more protective of what is allowed in our community. We are going to allow the City Attorney and staff the opportunity to work on this and bring a

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recommendation back to Council. A vote was taken on the motion to approve the license and it unanimously carried.

Taco Abajo. Recommend authorizing the City Attorney to notify Robert Hautt to appear at the May 2, 2013 Council meeting to show cause why the liquor, beer and wine (drink) license with Sunday sales at 217 ½ West Broughton Street, which is located between Jefferson Street and Barnard Street in District 1, should not be suspended or revoked on grounds that the operation of the establishment has constituted a nuisance requiring an unusual amount of police and enforcement activity. Recommend approval. Upon motion of Alderman Hall, seconded by Alderman Johnson the recommendation of the City Manager was unanimously approved.

Alderman Hall stated he requested that a show cause hearing be held for Sushi Zen at MLK and Broughton Street. City Manager Cutter recommended it be placed on the agenda for the next meeting of Council.

ZONING HEARINGS

Continued from the meeting of March 21, 2013 was a petition of Harold Yellin, Agent for Richard Mika, Petitioner/Owner (13-000506-ZA), requesting to rezone 1800 E. 63rd Street from R-6 (Single Family Residential – 6 units per net acre) to P-RM-6 (Planned Multi-Family Residential – 6 units per net acre). MPC recommends approval subject to the petitioner receiving perpetual access on Ruben Clark Drive from the Chatham County Hospital Authority prior to final approval by the Mayor and Aldermen. The proposed rezoning is consistent with the Tri-Centennial Comprehensive Plan Future Land Use Map. The proposed P-RM-6 classification would create an opportunity to provide a needed medical service to the community while maintaining a residential density the same as the density allowed within the current zoning R-6 classification. It is the policy of the City of Savannah to ensure that residential areas are protected from potential adverse impacts from adjoining non-residential development by requiring appropriate mitigating measures such as landscape buffering, fencing, and access limitations. The proposed institutional use and the implementation of these safeguards will ensure that the residential properties will not be adversely impacted. (Continued from March 21, 2013. **(The petition has been withdrawn.)**

As advertised, hearing was held Russell Steven Varnadoe (13-000957-ZA), requesting a text amendment to Section 8-3025(b) the B & I Use Schedule of the City of Savannah Zoning Ordinance to amend use number seven (7) Hotel or Apartment Hotel. MPC recommends approval of the petitioner's requested amendment. The B-C zoning district is designed to accommodate large scale commercial uses. Use number seven (7) of the Use Table, Hotel or Apartment Hotel, although having been allowed by practice is technically prohibited in the Zoning Ordinance in the B-C district. The most likely scenario by which this use has been prohibited is simply a long standing oversight. The use is appropriate in the district and should be allowed by right therein. Further, the proposed text amendment would bring a number of uses into conformity. Recommend

continuing the hearing to May 2, 2013. Upon motion of Alderman Thomas, seconded by Alderman Johnson the hearing was continued until May 2, 2013.

Continued from the meeting of March 21, 2013 a hearing was held on a recommendation of the Metropolitan Planning Commission (12-000277-ZA), recommending to add a “Street Classification Map for Announcement Signs” and to amend Sections 8-3112(c) (5) c, 8-3112(d) (3) and 8-3112(q) of the Savannah Zoning Ordinance to allow announcement signs in specified zoning districts, subject to limitations. Provided that certain limitations and conditions are part of the Ordinance requirements, manual changeable copy and electronically controlled announcement signs can be an effective means of communication for the travelling public and the community as well. The proposed amendment has such limitations and allows for a new type of signage within additional zoning districts consistent with other commercial districts as well as for certain nonresidential uses in other zoning districts. (Continued from March 21, 2013.)
Recommend continuing the hearing to May 16, 2013 in order to review this during a Council work session on May 2, 2013. Upon motion of Alderman Thomas, seconded by Alderman Shabazz the hearing was continued until May 16, 2013.

PETITIONS

Jim Wubbena of Wubbena Architects Representing WSB Acquisitions LLC (Property Owner) – Petition 120477, requesting the City allow encroachment within the E. Broad Street and E. Nicoll Street rights-of-way for the construction of entry stoops. The property owner is planning to develop two (2) vacant parcels, known as 601 E. Broad Street and 0 E. Nicoll Street, into two (2) residential apartment buildings. Proposed is four (4) entry stoops fronting E. Broad Street and three (3) entry stoops fronting E. Nicoll Street. Each stoop is planned to encroach into the right-of-way approximately 4’-0”. The stoops on Nicoll Street will also include new brick walkways from the stoops to the sidewalk.

This request has been reviewed by Public Works and Water Resources, Sanitation, Development Services, and Park and Tree. City staff recommends approval of the request subject to the property owner’s assumption of responsibility for injuries or damages to third parties as a result of the encroachment. All sidewalk improvements, additions and/or modifications must meet the latest ADA requirements. All City permitting and construction guidelines must be followed, and the construction must meet all federal, state and local codes. The petitioner and the property owners alike should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the encroaching items must be removed at the petitioner’s or property owner’s expense. (Photos are attached) Recommend approval. Upon motion of Alderman Thomas, seconded by Alderman Johnson the recommendation was approved.

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Phillip McCorkle (of McCorkle & Johnson, LLP, Attorneys At Law), on Behalf of One West Victory Drive, L.P. – Petition 120502, requesting the City allow encroachment within the Barnard Street and W. 44th Street right-of-way for the installation and construction of various items relating to the development project at 1 W. Victory Drive. The petitioner is specifically asking for approval to encroach as outlined below:

Barnard Street:

- construction of a tree lawn (also referred to as tree wells in the petition request) along the frontage of Barnard Street,
- installation of private light poles,
- installation of four (4) downspouts to discharge through the curb (as per a City standard detail), and
- construction of a pervious brick paver bus stop pad

W. 44th Street:

- installation of a hand-railing,
- construction of a tree lawn within the sidewalk area, only a partial length of W. 44th Street, and
- construction of six (6) parking spaces, that extend more than halfway into the right-of-way, on the south side of W. 44th Street, and which will be considered private-use by Guerry Lumber.

This request has been reviewed by Public Works and Water Resources, Sanitation, Development Services, Park and Tree, and Parking and Mobility Services. City staff recommends approval subject to the property owner's assumption of responsibility for injuries or damages to third parties as a result of any and all of the encroachments. All City construction guidelines must be followed, and all installations must meet all federal, state and local codes including the latest ADA requirements. Guerry Lumber will be responsible for securing and upholding a lease, for private-use of the parking spaces, with Parking and Mobility Services. The petitioner should be aware that any encroachment within the Victory Drive right-of-way must be approved by Georgia Department of Transportation. The petitioner and the property owners alike should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the encroaching items must be removed at the petitioner's or property owner's expense. (A plan is attached) Recommend approval. Upon motion of Alderman Shabazz, seconded by Alderman Thomas the recommendation was approved.

Robert B. Brannen, Jr., Representing Mihirkumar Patel – Petition 120428, requesting rehearing and reconsideration of the January 24, 2013 decision to not renew a liquor, beer and wine (package) license for Mihirkumar Patel at 2111 W. Bay Street, which is located between Brittany and Kenilworth Streets in District 1. This matter is at the discretion of City Council. Attorney Robert Brannen, Jr. came forward and stated he represents Mr. Mihirkumar Patel who is the holder of the alcohol license and Mr. Alpesh Patel who owns the real estate that the business is on. He realizes this is an unusual request but after a great deal of investigation he decided to take the case and he viewed the hearing on television where Mr. Mihirkumar Patel was accused repeatedly for lying to Records

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Court he seemed confused and did raise a defense, He asked Mr. M. Patel and he said he was confused and did not understand what was going on. Mr. Brannen referred to an ordinance the city has that states applicants that hold alcoholic licenses must receive notice of revocation. Mr. Brannen stated from a legal stand point the notice Mr. M. Patel received did not contain any grounds that he would be accused of lying and believes it violates his due process rights. He has not had a chance to look at the Recorder's Court tapes and there was also a pending action not against Alpesh Patel for lying, but because he had missed a court date. He then reviewed the citations given by the Property Inspector and Mr. M. Patel signed his name to the bottom. He told the judge that it was a case of mistaken identity as Mr. Alpesh Patel never received the notices and the Judge dismissed the case against him and ruled all property maintenance issues were satisfied prior to the first hearing of Council. Without explanation, the Judge convicted Mihirkumar Patel of contempt of court. At that time, he did not have an opportunity to represent Mr. M. Patel in Court. The statement was although he did not misrepresent himself, he did have opportunity to make the correction. He was sentenced to 10 days and served 4 days for minor property issues.

Attorney Brannen said when he received the tapes from the Recorder's Court hearing he was very surprised because the very first witness was Judee Jones of the City's Revenue Department who had a relationship with Mr. M. Patel because he has an alcohol license and she presented a Memorandum of Agreement that was signed by M. Patel. The second document was an older memo from 2008 which A. Patel entered. Attorney Johnson was there and Mr. M. Patel stated that he entered into the second agreement but not the original one presented from 2008. In this case, the big part of the hearing was that Mr. M. Patel lied as the Mayor also referred to this issue in the Minutes. He stated that this affected the Council's decision. He asked for a rehearing as they cannot wait for six months to be reheard. They will do whatever they can to be a good business and neighbor. The letter sent to Mr. M. Patel did not indicate grounds for revocation as required in the ordinance. Mr. A. Patel had taken an interest in responding to the property maintenance issues. They want to be good neighbors and the closing of the business has caused a financial hardship on M. Patel's family. They would like to set a meeting with Ms. Jones to make an agreement. Alpesh is 80% owner and Mihirkumar is a 20% owner and the business has been closed for 3 months. Alpesh Patel will be more involved. Mr. Alpesh Patel stated he is the property owner and purchased the property ten years ago. In those 10 years he does not believe he and his family have ever violated the alcohol beverage license. He did not understand what contempt meant and he has been in this country for over 25 years, so he understands why M. Patel could have had a problem understanding. The business is bread and butter for his family. Mayor Jackson asked if they have addressed the issues of cleaning up the property. Mr. Brannen said the property maintenance issues were addressed prior the hearing before Council. She asked if Mr. M. Patel had misrepresented himself in the court as Mr. A. Patel. Attorney Brannen responded that he has reviewed the tapes of the Recorder's court and there is no indication that he misrepresented who he was. Alderman Bordeaux stated the Mayor is referring to when Mr. A. Patel came to Council meeting he stated he represented himself as M. Patel. Alderman Osborne stated the problem seems to be a language barrier. She noticed at the last hearing, Mr. M. Patel had a puzzled looked when asked several

questions. At that time, Mayor Jackson and several other members of Council raised that issue of his understanding the questions. Mayor Jackson agreed that she asked him did he understand and could have legal representation. Mayor Jackson asked if he stated in Court that he was Mr. M. Patel. It concerned her if he did not understand this question and he responded that he did. Attorney Brannen said he did not understand he was being accused of lying in Recorder's Council otherwise, he would have cleared that up. The Court is to provide us with transcripts as they have repealed this action. Alderman Johnson said this is in his district. If Mr. M. Patel was a law abiding citizen we would not be here today. He also asked if he understood English. He wanted to make it very clear that the issue was more than property maintenance. The citizens from the West Savannah community came up to speak about the loitering, littering and those coming out with lawn chairs and this was a repeated habitual nuisance. He could have Counsel and he indicated that he did. We gave the opportunity for a hearing and it creates an issue when we do it over. A fair hearing was held on this issue. Attorney Brannen said he agrees if it was only on litter and loitering, but it was stated he lied in Recorder's Court. Alderman Johnson said the fact that he misrepresented himself in Recorder's Court spoke to his credibility. He admitted that he misrepresented himself in a court of law. Mayor Jackson said these questions were asked repeatedly and he admitted he perpetrated himself. She believes in giving a fair opportunity to admit their mistakes. Alderman Thomas to Attorney Brannen responded that you may have taken the case for the reasons stated, but he asked him twice if he did represent himself in Recorder's Court as A. Patel and he admitted he did. We have no option but to go on what he said. Alderman Osborne said after hearing what she heard today asked if there is any procedure to allow us to wait on Mr. Brannen to receive the transcripts from Recorder's Court and our attorney reviewing them with him. Her firm belief is Mr. M. Patel did not understand what he was being asked. Alderman Bordeaux to Alderman Osborne's point said he understands the Recorder's Court hearing is being talked about a lot today, but that is not why he went to jail, but for "contempt of court" which is a huge difference from minor property maintenance issues. There is obviously a language barrier, but that is not what is going on here. These two gentlemen are business owners and their approach has been nothing but lackadaisical. As with a batter who has struck out, it is too late because when he is out – he's out. Alderman Hall stated all of us can ride by establishments where there is loitering. He agrees that this young man did not understand what was going on during the Council hearing; therefore he is torn in this matter. Mayor Jackson asked Mr. Brannen about the availability of the tapes and do they indicate he lied. Mr. Brannen said the Judge did say he had opportunity to make the correction. They will come back if a rehearing isn't granted. If you go by the property you can see that the property has been cleaned up and there may be one of two old guys outside, but his client wants to be a good neighbor. Alderman Shabazz said business owners come into their neighborhoods, but do not live there and allow loitering and littering around those businesses. Alderman Johnson said this is his district and he sees and noted the problems. Some business owners lock their business doors and go to their residential neighborhood where these problems do not exist. Attorney Brannen said they want to be good neighbors and this is an unfortunate incident. Alderman Osborne asked Attorney Brannen if his client has an agreement plan for the business. Many who come before Council have a plan of action to respond to the incidents being discussed. Mr. Brannen said they do not have one with

them, but can address the concerns mentioned by Alderman Johnson. Alderman Hall asked if the applicant can come back and reapply for a license. City Attorney Stillwell said the law provides that the applicant wait six months, but technically Council did not revoke this license as he came up for renewal of the license. Council has the discretion to rehear it or allow him to apply for a new license if they wish to do so. Attorney Stillwell said he would like to clarify for the record comments of Attorney Brannen. It is true he was not cited or given notice ahead of time for lying on his application of stating someone he wasn't. At that time, the reason he was cited as stated by Alderman Johnson was for multiple property maintenance violations of the City ordinance which are valid grounds for not renewing a license. In his opinion, the Council had good grounds to revoke the license. Council can allow him at their discretion to reapply. Mayor Jackson asked when was he before Council, and was told it was January 24, 2013. She then asked the applicant since that date, has he done anything to the business to correct the property maintenance violations. Attorney Brannen said prior to the last hearing, all of the property maintenance violations have been addressed. The land and property around the business have been cleaned up and a chain-link fence has been installed to prevent loitering. The property is vacant now and is subject to littering; therefore it's not being utilized as a business and has created other issues. Alderman Shabazz to City Manager Cutter asked for the decision of Council in January. City Manager Cutter responded that Council voted not to renew the license. Alderman Sprague asked if this location was a convenience or a liquor store. Attorney Brannen said it was a liquor store. Mayor Jackson asked Mr. M. Patel where he resides. Mr. M. Patel said Pooler. Mayor Jackson then asked if he had a similar business in Pooler. Mr. M. Patel said no this is his only business which supports his family. Alderman Shabazz made a motion to deny the request for a rehearing of the January 24, 2013 decision of Council. This was seconded by Alderman Johnson. Alderman Bordeaux clarified that a vote of yes would be to deny the rehearing and a vote of no would allow the rehearing. Alderman Sprague said if this is denied, when could he come back to be reheard and she was told it would be six months, making it July. Attorney Brannen asked if it would be possible before then to reassign the prior license or is it out now. City Attorney Stillwell said the license was not renewed, therefore there is no license. Alderman Johnson called the question. A vote was taken on the motion and it carried with Mayor Jackson, Aldermen Johnson, Bell, Bordeaux, Thomas, Sprague and Shabazz voting in favor of the motion. Aldermen Osborne and Hall voting against the motion.

ORDINANCES

ORDINANCE PLACED ON FIRST READING:

Digital Billboards. An ordinance to amend Section 8-3112(c)(5)e.9 of the City of Savannah Zoning Ordinance to amend the provisions regarding the removal of nonconforming billboards, subject to a requirement that an applicant submits an affidavit certifying that they do not own any nonconforming billboards. Recommend approval.

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ORDINANCE PLACED ON FIRST READING:

Use Conditions Related to Corner Lots. A text amendment to the Savannah Zoning Ordinance to amend Article K, Section 8-3214 Traditional Neighborhood – 2 (TN-2) to clarify the use conditions related to corner lots. Article K, Section 8-3214 of the Zoning Ordinance presents a listing of allowable uses in the TN-2 District. Although the TN-2 district is considered to be primarily a residential classification, limited commercial uses are allowed by right on corner lots. Additionally, part of that section states generally that the owner of a building located on a corner lot, upon meeting certain criteria, shall be permitted to establish any use allowed in the TC-1 (Traditional Commercial) district subject to conformance with development standards of the TN-2 district. The proposed text amendment would alter the format of the section to more accurately follow the format in place prior to the 2007 amendment and would restore the specific site characteristics which were inadvertently omitted from the previous amendment. The changes, though slight in number, will clarify the intent of the district and the provisions which may be used to establish TC-1 uses on an appropriate corner lot. (The zoning hearing was approved September 20, 2012.) Continued until the meeting of May 2, 2013. Mr. Lotson said this is an amendment Article K related to the mid-city neighborhood district. A portion of that ordinance there was a condition that allowed commercial businesses in a TN-2 district which is a traditional neighborhood only if they were on a corner lot. They would also have to maintain the development standards of a TC-1 commercial district. The changes were to make the development standards more specific in the ordinances as to what streets they can be located on. Those streets are Barnard, Bull, Abercorn and Habersham. Alderman Sprague asked if he could provide the streets, location and zone where these lots Alderman Sprague withdrew her motion and the ordinance was placed on first reading. Alderman Hall asked if this ordinance would have remedy Mr. Russo's program years ago. Mr. Lotson said no.

Ordinance read for the first time in Council, read a second time, placed upon its passage, adopted and approved upon motion of Alderman Bell, seconded by Alderman Thomas and carried.

Rezone 612 Drayton Street. An ordinance to rezone 612 Drayton Street (the Georgia Medical Society Building) from RIP-A (Residential, Institutional, Professional – Medium Density) to RIP-B (Residential, Institutional, Professional – Medium Density). (The zoning hearing was approved September 20, 2012.) Recommend approval. In answer to questions of Alderman Sprague. Mr. Lotson said this is the Georgia Medical Society Building adjacent to Forsyth Park. The only difference between the two classifications is the restaurant use.

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AN ORDINANCE

To Be Entitled

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM ITS PRESENT RIP-A ZONING CLASSIFICATION TO A RIP-B ZONING CLASSIFICATION; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: The following described property be rezoned from its present RIP-A zoning classification to a RIP-B zoning classification:

LEGAL DESCRIPTION

Commencing from a point [X: 988170.9127 Y: 753769.3130] located at the approximate intersections of the centerlines of the Drayton Street and East Hall Street and proceeding in a Northeasterly direction N 17-5-31 E, along the centerline of Drayton Street for approximately 182.16 ft. to a point [X: 988224.452 Y: 753943.434], said point being,

THE POINT OF BEGINNING

thence proceeding in a direction: S 74-15-9 E, for an approximate distance of: 165.45 to a point, thence proceeding in a direction: N 16-38-20 E, for an approximate distance of: 45.40 to a point, thence proceeding in a direction: N 74-15-9 W, for an approximate distance of: 164.49 to a point, thence proceeding in a direction: S 17-51-36 W, for an approximate distance of: 45.42 to a point,

[X: 988224.452 Y: 753943.434] said point being, THE POINT OF BEGINNING

The property is further identified by the Property Identification Number as follows:

P.I.N. 2-0032 -59-005

SECTION 2: That the requirement of Section 8-3182(f) (2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News, on the 28th day of August, 2012, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: APRIL 18, 2013.

Ordinance read for the first time in Council, read a second time, placed upon its passage, adopted and approved upon motion of Alderman Osborne, seconded by Alderman Sprague and carried.

Community Boundary Monument Signs for New Hampstead. A text amendment to the Savannah Zoning Ordinance to amend Article L New Hampstead PUD Section 4.12 Signage, Subsection 4.12.1 to change the design and location of Community Boundary Monument Signs for the New Hampstead planned residential community. (The zoning hearing was approved September 20, 2012.) Mr. Lotson said they were requesting a different type of signage, therefore the zoning was amended to allow this use. Recommend approval.

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO AMEND ARTICLE L, PLANNED UNIT DEVELOPMENT FOR NEW HAMPSTEAD-SECTION 4.12 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO SIGNAGE; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND, FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Article L, Planned Unit Development for New Hampstead-Section 4.12 of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code", be amended as follows:

DELETE

Article L

Section 4.12 Signage

4.12.1 General Requirements.

- a. **Sign Types** - Sign types shall be limited to the types listed below and shall require approval of the NHDRC and the City of Savannah. No pole or pylon signs shall be permitted. Design style shall be in keeping with the overall intent of the community.
- b. **Lettering** - Specifications for approved lettering techniques must be

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approved by NHDRC.

c. Community Standards

- i. Sign Type:** Community Boundary Monument.
- Designation:** Large entry marker at the perimeter of the project composed of stone base and stone columns with custom wrought iron fence detail. Monogram logo may be applied to column(s).
- Quality:** One (1) Sign per designated location.
- Sign Size:** 12'-0" Column height with finial. 6'-6" Wall height.
- Materials:** Wrought iron decorative fence insert. Stone and masonry construction throughout the base and two columns; or masonry and stucco construction throughout the columns.
- Colors:** To be approved by NHDRC.
- Copy:** No identity copy. Cast stone or bronze monogram.
- Lighting:** Lighting should be from concealed ground spot lights as required.

ENACT

Article L

Section 4.12 Signage

4.12.2 General Requirements.

- c. Sign Types-** Sign types shall be limited to the types listed below and shall require approval of the New Hampstead Development Review Committee (NHDRC) and the City of Savannah. No pole or pylon signs shall be permitted. Design style shall be in keeping with the overall intent of the community.

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d. **Lettering-** Specifications for approved lettering techniques must be approved by NHDRC.

e. **Community Standards**

ii. Sign Type: **Community Boundary Monument**

Designation: Large entry marker at the perimeters of the project composed of stone faced base and columns with custom wrought iron fence or stuccoed detail. Identity name "New Hampstead" to be applied to wall face.

Quantity: One (1) Sign per designated location.

3. The approved signs have a maximum column height of 12 feet including finial and a maximum wall height of 6 feet 6 inches. The proposed sign will have a maximum column height of 12 feet not including a finial. The maximum height for a finial is 2 feet. The proposed sign will have a maximum wall height of 9 feet.
4. There are presently four approved locations for the proposed signs. The two signs to be located at the intersection of New Hampstead Parkway and Little Neck Road will remain unchanged. The two remaining locations are located along Little Neck Road with one sign on each side of Hampstead Parkway. Both signs will be relocated approximately 1,800 feet closer to the intersection of New Hampstead Parkway. Also, the easternmost sign will be located on the north side of Little Neck Road instead of the south side as presently approved.
5. The proposed amendment, if approved, will not adversely impact the properties within the

Sign Size: Column height – 12'0" (maximum) plus 24" finial may be mounted on top.

Wall height – Maximum of 9'0" (maximum)
Wall length – 13'4" for the monument signs on Little Neck Road. The length of the monument signs at each end of New Hampstead Parkway and at the Highgate Boulevard entry off Georgia Highway 204 shall be approved by the NHDRC.

Materials: Stuccoed masonry wall between columns or

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Wrought iron fence insert. Stone and masonry construction throughout the base and columns.

Colors: To be approved by NHDRC.

Copy: "New Hampstead" applied letters with a maximum size of 22 square feet.

Lighting: Lighting should be from concealed ground spot lights as required.

SECTION 2: That the requirement of Section 8-3182(f) (2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News, on the 1st day of September, 2012, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: APRIL 18, 2013

The following ordinance was placed on first and second reading to rezone 7208 and 7216 Skidaway Road from PUD-IS-B (Planned Unit Development Institutional) to B-N-1 (Neighborhood Business Limited). The Metropolitan Planning Commission (MPC) recommended approval to rezone the properties from PUD-IS-B to B-N-1 subject to the condition that a one foot non-vehicular access easement be established at the rear of the properties paralleling and preventing direct access onto Central Avenue. (The zoning hearing was approved August 25, 2011.) The City Manager recommended returning the ordinance to MPC for follow-up and appropriate revisions. Attorney Stillwell stated that the MPC brought to our attention that since the original action in 2011, a portion of the property was sold to a new owner who was not aware of the pending rezoning action and obtained his own special use permit for his portion of the property. Apparently, his use is conforming with the special use permit under the old zoning, but would be non-conforming under the proposed new B-N-1 zoning.

In order to straighten this matter out, it appears that the "new" zoning should only be applied to the portion of the property which has not been sold, and which he assume is still owned by Mr. McCorkle's client. He recommended to the City Manager that Council send this matter back to the MPC to revise the legal description to not rezone the portion already sold to a BN-1, but only that portion that is still owned by the original property owner who requested and got approval of a B-N-1 at the Council meeting of August 25, 2011 and through an administrative error the ordinance was not adopted.

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Therefore, the MPC must revise the legal description to reflect this change and the ordinance brought back to Council for adoption. Upon motion of Alderman Thomas, seconded by Alderman Shabazz, this was referred back to the MPC.

RESOLUTIONS

City Manager Cutter outlined the recommendation for Fee Simple Deed – W. H. Gross Construction Company. A resolution to authorize granting a deed to W. H. Gross Construction Company in consideration of the highest and best bid of \$65,000.00 in response to Event No. 1300 (Waters and Anderson Surplus Property). Recommend first approving Item 22 to accept the qualifying bid of \$65,000.00 from W.H. Gross Construction for the purchase of the property located at 1021-1023 Anderson Street and 1403-1413 Waters Avenue and approve the sale of the property, subject to the noted contingencies, and then approving this resolution to authorize granting a deed.

A RESOLUTION TO AUTHORIZE GRANTING A DEED TO W. H. GROSS CONSTRUCTION COMPANY IN CONSIDERATION OF THE HIGHEST AND BEST BID OF \$65,000.00 IN RESPONSE TO EVENT #1300 (WATERS AND ANDERSON SURPLUS PROPERTY).

WHEREAS, the within described property was declared surplus to the City's needs on April 5, 2012; and

WHEREAS, pursuant to O.C.G.A §36-37-6 said property was offered for sale by a Request for Proposals (Event #1300) through an advertisement in the Savannah Morning News, the legal organ in and for said County, and on the City of Savannah official web page; and

WHEREAS, W. H. Gross Construction Company offered the highest and best bid in the amount of \$65,000.00 as provided in the conditions of the proposed sale as advertised; and

WHEREAS, the Mayor and Aldermen of the City of Savannah accepted said proposal and approved the conveyance of said property on April 18, 2013;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, that the City Manager be authorized and directed to execute and deliver a Fee Simple Deed to W. H. Gross Construction Company upon fulfillment of the terms of said proposal, and the Clerk of Council to attest said Deed and affix the City's seal.

Legal description attached as Exhibit A and made a part hereof

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ADOPTED AND APPROVED THIS 18 TH DAY OF APRIL, 2013 UPON OTION OF ALDERMAN OSBORNE, SECONDED BY ALDERMAN SHABAZZ AND UNANIMOUSLY CARRIED.

GENERAL MCINTOSH BOULEVARD. A RESOLUTION FOR THE REALIGNMENT AND IMPROVEMENT PROJECT FOR THE NEW GENERAL MCINTOSH BOULEVARD, INCLUDING ITS NEW INTERSECTION WITH E. CONGRESS STREET.

WHEREAS, the City has laid out and determined to construct certain road improvements known as General McIntosh Realignment and Improvement Project, along General McIntosh Boulevard between River Street and President Street within the corporate limits of the City, as a part of the city system of streets and roads more fully shown on maps and drawings on file in the Office of the Clerk of Council, City Hall, Bay Street, Savannah, Georgia; and

WHEREAS, in order to maintain the projected schedule of construction of the Mayor and Aldermen of the City of Savannah for this facility, it is necessary that and an outright fee simple acquisition of right of way for the installation of intersections and realignment of this roadway project to be acquired without delay; and

WHEREAS, such acquisitions are for a public purpose; and

WHEREAS, it is necessary that the properties as described in the annexes hereto be acquired without delay; and

NOW, THEREFORE, IT IS FOUND AND DETERMINED BY THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH, that the circumstances are such that it is necessary that and outright acquisition over, under and through the land for construction of the realigned and relocated roadway as shown in the map annexed hereto and particularly described in the attachments to the map be acquired without delay, and the City Manager is directed to proceed to acquire the title, estate, or interest in the properties shown in the attached map of the project by purchase or exchange, or to file proceedings, including a Declaration of taking to acquire said title, estate or interest and to deposit in Court the sum estimated as just compensation, all in accordance with the Official Code of Georgia Annotated as amended.

ADOPTED AND APPROVED APRIL 18, 2013 UPON MOTION OF ALDERMAN SHABAZZ, SECONDED BY ALDERMAN OSBORNE AND UNANIMOUSLY CARRIED.

A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 18th day of April, 2013 the Council entered into a closed session for the purpose of discussing personnel. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

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1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED THIS 18th DAY OF APRIL, 2013 UPON MOTION OF ALDERMAN JOHNSON, SECONDED BY ALDERMAN THOMAS AND CARRIED.

MISCELLANEOUS ITEMS

Sale of Surplus Property – 1401-1413 Waters Avenue; 1021-1023 Anderson Street. On April 5, 2012, Council declared surplus the property located at 1021-1023 Anderson Street and 1403-1413 Waters Avenue, PINs 2-0055-09-001, -002, -003, and -014. The property was purchased in April 2010 with \$65,000.00 in funds from PD309, an account set up for Waters Avenue corridor acquisitions and improvements. At the time there were several empty derelict storefront buildings on the site. The property was purchased to reduce blight, and for future redevelopment. The buildings were demolished by Property Maintenance.

The property was advertised for sale via Request for Proposal in July 2012 (no responses were received) and again in March 2013 (Event #1300). A single qualifying bid was received from Bill Gross of W. H. Gross Construction Company in the amount of \$65,000.00. Mr. Gross's company, which is based in Kingsland, GA, oversaw the reconstruction of the historic Wade Hotel in Waycross and is currently an active partner with the City of Brunswick in the redevelopment of their city center.

Mr. Gross is under contract with the Board of Education for the purchase of the former Romana Riley School at 1108 Waters Avenue with the intent of redeveloping that property as a multi-family complex for senior citizens. If acquired, the City property would be utilized for additional parking associated with the project. On April 3, 2013, the MPC approved Mr. Gross's request to rezone the property from R-4 (Four-Family Residential) to RIP-B (Planned Residential – Medium Density) to accommodate the proposed redevelopment of the Romana Riley school site. The redevelopment of this site will have a positive impact on the Waters Avenue corridor, and Mr. Gross is willing to work with the City to meet any design guidelines developed as part of the Waters Avenue revitalization project. Mr. Gross also proposes to implement improvements to the Chatham Area Transit (CAT) bus stop at the corner of Anderson Street and Waters Avenue, with final approval of the proposed improvements by the City and CAT.

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Final purchase of the City property is contingent upon the sale and closing of the Romana Riley School parcel, acquisition of federal tax credits for the redevelopment project, and approval from the City for the proposed use. Closing would be scheduled for no later than December 31, 2013.

Recommend Council accept the qualifying bid of \$65,000.00 from W.H. Gross Construction for the purchase of the property located at 1021-1023 Anderson Street and 1403-1413 Waters Avenue and approve the sale of the property, subject to the contingencies noted above. (An aerial map is attached) Recommend approval. This item was approved upon motion of Alderman Hall, seconded by Alderman Bell this was approved. Alderman Osborne commended the developer of this project. (SEE RESOLUTIONS)

BIDS, CONTRACTS AND AGREEMENTS

Upon a motion by Alderman Thomas, seconded by Alderman Bell and unanimously carried, the following bids, contracts and agreements were approved per the City Manager's recommendations:

Janitorial Services for City Hall, Gamble Building and Broughton Municipal Building – Annual Contract – Event No. 863. Awarding an annual contract to procure janitorial services for City Hall, Gamble and Broughton Municipal Building from Goodwill Industries in the amount of \$30,816.00, ICS, Inc. in the amount of \$26,076.00 and CKC Enterprises in the amount of \$28,620.00 for a grand total of \$85,512.00.

The three lowest bids were not selected because they did not meet minimum staffing requirements. Bid specifications state the minimum number of employees required to staff each building and that all employees to be paid minimum wage. Bids were received February 5, 2013. This bid was advertised, opened and reviewed.

Funds are available in the 2013 Budget, General Fund/Mail and Municipal Services/Janitorial Services (Account No. 101-1153-51243)

Janitorial Services for Various Locations – Annual Contract – Event No. 880. Awarding an annual contract to procure janitorial services for various city buildings from Goodwill Industries in the amount of \$33,450.00, CKC Enterprise in the amount of \$10,020.00, TC Janitorial in the amount of \$4,788.00, American Janitorial in the amount of \$5,400.00 and Imagann Cleaning in the amount of \$7,500.00 for a grand total of \$61,158.00. The lowest bids meeting specifications were awarded for all line items with the exception of T&D Professional Cleaning, All Clean Facilities Service and Wright Way Cleaning. T & D Professional Cleaning and Wright Way Cleaning did not provide documentation of having two years local commercial experience as required by the bid specifications. All Clean Facilities only provided out-of-town commercial experience.

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Bids were received February 12, 2013. This bid was advertised, opened and reviewed. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Various Departments/Janitorial Services (Account No. 51243).

Coastal Workforce Services and Coastal Workforce Investment Board –Contract Modification/Grant Extensions for Sub-Recipients No. 1 – Contract Numbers: 12-0167-01, 12-0167-02, 12-0869-01, 12-0336-01 and 12-0336-02; Bid No. 10-256.

Authorization to enter into agreements with sub-recipients and grant administration was approved on May 31, 2012. The City accepted a grant award from the Georgia Department of Labor Workforce Investment Act (WIA) Grant Program to provide year-round youth programs from April 1, 2012 – June 30, 2014 to low-income youth between the ages of 14 and 21. The youth programs funded by the \$1,513,783 grant award include work experience, occupational skills training, alternative secondary school services, tutoring and supportive services in the Coastal Workforce Services and Investment Board's nine county region consisting of Bryan, Bulloch, Camden, Chatham, Effingham, Glynn, Liberty, Long and McIntosh counties. The current Youth Provider/Sub-Recipient contracts are scheduled to expire on April 30, 2013. In order to provide uninterrupted services until new contracts are awarded with an effective date of July 1, 2013, a contract modification and extension totaling \$315,552 is necessary as shown below:

- Paxen for Camden, Glynn and McIntosh Counties (\$74,924) and Chatham County (\$67,228)
- Savannah Impact Program for Chatham County (\$44,818)
- Telamon Corporation for Bulloch and Effingham Counties (\$65,288) and for Bryan, Liberty and Long Counties (\$63,294).

There are no material changes to the current executed contracts, or the requirement of a minimum expenditure of 60% funds dedicated to serving out-of-school youth.

Recommend approval of Contract Modifications and Grant Extensions for Sub-Recipients No. 1 to Paxen (\$142,152), Savannah Impact Program (SIP, \$44,818) and Telamon Corporation (\$128,582), totaling \$315,552.

Alderman Johnson requested that this item be pulled and stated he wanted to make an editorial comment on what is happening in Washington, D.C. as it relates to the federal government's process. He also stated that our success in procuring and retaining funds depend largely on our lobbying efforts which plays a very crucial and important role. Upon a motion of Alderman Johnson, seconded by Alderman Bell and carried, it was unanimously approved.

Floor Care for Various Locations – Annual Contract – Event No. 883. Awarding an annual contract to procure floor care services from Goodwill Industries in the amount of \$1,676.00, American Janitorial in the amount of \$11,100.00 and CKC Enterprises in the amount of \$16,615.00 for a grand total of \$29,391.00. The services includes carpet and tile floor care for the City Hall, Gamble, Community Service and Planning, City Lot and Developmental Services buildings. The lowest bids meeting specifications were awarded

for all line items with the exception of TC Janitorial which was not selected because it did not include carpet care in its response and Goodwill Industries was not selected for a line item because they did not meet minimum staffing requirements. Funds are available in the 2013 Budget, Various Departments/Janitorial Services (Account No. 51243).

Refuse Truck Chassis – Sole Source – Event No. 1183. Approval to procure one refuse truck chassis from Crane Carrier in the amount of \$144,500.00. The chassis will be used by Sanitation to replace unit 6721 which is no longer economical to repair or operate.

The last full truck we purchased was in 1997. Since then we have been purchasing separate bodies and chassis. In 1999 the City standardized the Crane Carrier chassis for refuse trucks. These are the only available chassis which allows the cab to sit low to the ground for easy access with a walk-thru design. These features reduce staff injuries and provide a more ergonomic interior with increased crew seating. Using one chassis reduces parts inventory and maintenance costs. Delivery: 120-150 Days Funds are available in the 2013 Budget, Vehicle Replacement Fund/Vehicle Purchases/Vehicular Equipment (Account No. 613-9230-51515).

Rear Loader Refuse Body – Event No. 1262. Approval to procure one rear loader refuse body from Consolidated Disposal in the amount of \$71,403.00. The body will be used by Sanitation to replace unit 6721 which is no longer economical to repair or operate. The body will be mounted on a chassis provided by Crane Carrier. The bid was advertised, opened and reviewed. Delivery: As Requested. Terms: Net 30 Days. Funds are available in the 2013 Budget, Vehicle Replacement Fund/Vehicle Purchases/Vehicular Equipment (Account No. 613-9230-51515).

Groundwater Compliance and Consultant Services – Annual Contract – Event No. 1195. Awarding an annual contract to procure groundwater compliance and consultant services from Advanced Environmental Management in the amount of \$40,980.00. The services will be used by the Dean Forest Landfill to provide groundwater and surface water sampling and analysis to comply with the rules of the Georgia Department of Natural Resources. The method used for this procurement was the Request for Proposal (RFP) which evaluates criteria in addition to price. The criteria evaluated for this RFP were qualifications and experience, technical capabilities, references and fees. Proposals were received March 12, 2013. The proposal was advertised, opened and reviewed. Funds are available in the 2013 Budget, Refuse Disposal/Professional Purchased Services (Account No. 511-7103-51238).

Summer Lunch Program – Event No. 1271. Approval to procure catering services for the summer lunch program from the Savannah-Chatham Board of Education in the amount of \$3.15 per lunch for a total of \$331,143.75. The summer lunch program is administered by Public Facilities, Events, and Services and provides children enrolled in the Summer Recreation Program a well-balanced lunch during the summer when school is not in session. This year the program will run from June 18th through August 2nd and will serve an estimated 105,125 meals. A sole source vendor is required because the summer lunch program is fully funded by a U.S. Department of Agriculture grant. Federal guidelines mandate, where feasible, that local school nutrition services be utilized

to provide this service. Funds are available in the 2013 Budget pending grant award, Summer Lunch/Leisure Services Department/ Other Contractual Service (Account No. 212-6130-51295).

Annual Maintenance Agreement for Variable Frequency Drives – Event No. 1330.

Approval to procure a preventative maintenance agreement for variable frequency drives (VFD) from Siemens Industry Inc. in the amount of \$38,715.00. The variable frequency drives are located at the I & D Water Treatment Plant, Abercorn Creek Pump Station and the President Street Pump Station. The VFD's control the speed of the pumps used at each facility and are critical to the continued operation of each pump. The reason a sole source vendor is required is that this supplier is the manufacturer of the drives and the only authorized service provider. The service agreement covers two visits a year by technicians. Delivery: Bi-Annually. Terms: Net 30 Days. Funds are available in the 2013 Budget, I & D Water Operating Fund/I & D Water Operations/Equipment Maintenance (Account No. 531-2581-51250).

Microfilm Services – Annual Contract Renewal – Event No. 1332. Renewing an annual contract to procure microfilm services from The DRS Group in the amount of \$59,400.00. The microfilm services will be used by Development Services for records management. The City sends master silver halide microfilm of building plans and supporting documents to the Georgia Archives for storage in their media security vault. These out-of-the-area duplicate records are part of our disaster preparedness efforts in case local copies are destroyed. Digitizing these records is possible, but the format of digital storage devices changes so frequently that the conversion to new formats periodically would be extremely expensive. This is the last renewal option available. Bids were originally received November 4, 2008. Delivery: Funds are available in the 2013 Budget, General Fund/Development Services/Other Contractual Services (Account No. 101-3102-51295).

Chopper Pumps – Sole Source – Event No. 1336. Approval to procure three Vaughan chopper pumps from WC Equipment in the amount of \$50,730.00. The pumps will be used by Lift Station Maintenance to replace 16 year old pumps that are no longer repairable. The pumps are located at the pump station downstream of the County jail and youth detention center and are critical to the operation of the station. The existing electrical controls and pump bases are only compatible with the Vaughan pumps and must be used with pumps from the same manufacturer. The pumps are only available through the manufacturer's authorized dealer, WC Equipment. Delivery: 30 Days. Terms: Net 20 Days. Funds are available in the 2013 Budget, Lift Station Maintenance/Equipment Maintenance (Account No. 521-2552-51250).

ESRI Software Maintenance – Event No. 1344. Approval to procure on-going software maintenance and support for the ESRI geographic information system (GIS) software from ESRI, Inc. in the amount of \$33,200.00. GIS software is used by numerous City departments to perform spatial analysis of data to facilitate planning and management of City resources and services. A sole source vendor is required because ESRI is the only known supplier of this service. Delivery: As Requested. Terms: Net-

30 Days. Funds are available in the 2013 Budget, Internal Service Fund/Information Technology (Account No. 611-1140-51251).

President Street Generator Upgrade – Event No. 1349. Approval to procure engineering services to upgrade the President Street Water Reclamation standby generator from TAW Power Systems, Inc., in the amount of \$32,448.00. The President Street plant's standby generator is not functioning correctly and is in need of engineering services to update current system programming. Services also include the manufacturer's field representative assistance in programming and testing of the system following the upgrade. The generator provides critical back-up power for the plant's operation so the services are considered an emergency. The contractor was selected because they are the regional authorized factory representative for the manufacturer of the generator. Delivery: Immediately. Terms: Net 30 Days. Funds are available in the 2013 Budget, Capital Improvement Projects/Treatment Plant Capital Equipment Maintenance (Account No. 311-9207-52842-SW0319).

Mowing Services for Streets Maintenance – Annual Contract Renewal – Event No. 1357. Renewing an annual contract to procure mowing services from Complete Lawn Care in the amount of \$36,720.00. The contract will be used by Street Maintenance for mowing 255 City-owned properties. This is the first of two renewal options available. Bids were originally received May 1, 2012. Delivery: As Requested. Terms: Net 30 Days. Funds are available in the 2013 Budget, General Fund/Streets Maintenance/Other Contractual Services (Account No. 101-2105-51295).

Computer Hardware – Annual Contract – Event No. 1227. Approval to award an annual contract for computer hardware from New Century for desktop computers, laptop computers, and monitors in the amount of \$238,668.00. Throughout the year, Information Technology purchases 200 to 250 personal computers, and 100 laptop computers as replacements. Additional equipment is also purchased as staffing needs change with the total not to exceed the budgeted amount of \$280,000.00. The method used for this procurement was the Request for Proposal (RFP) which evaluates criteria in addition to price. Criteria evaluated for this RFP were qualifications, experience and support, technical specifications, references and fees. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Computer Replacement Fund/Computer Purchases (Account No. 612-9240-51321).

Deptford Tract Landfill Cover Inspections & Groundwater Sampling & Reporting Services Event No. 1387. Awarding a contract for landfill cover inspections and groundwater sampling and reporting services from Terracon Consultants, Inc. in the amount of \$8,355.00. In November, 2011, City Council approved an agreement with Greenfield Environmental Savannah Trust LLC to implement a Corrective Action Plan approved by the Georgia Environmental Protection Division (EPD) for remediation of the Deptford Tract. The plan includes the remediation of the former municipal landfill that was once operated by the City on that site. The work includes environmental remediation, installation of engineering controls, sampling and reporting services. The City of Savannah is responsible for 75% of the cost of the remediation services. This

contract includes additional services not included in the original scope of work but are required by the EPD as part of the Corrective Action Plan (CAP). Services will include quarterly landfill cover inspections and groundwater sampling and reporting that measures well depth, temperature, pH, conductive for 2013. Recommendations for any further investigation and/or remediation will also be provided. The sole source is required because the City is required to perform these services in conjunction with the other responsible parties. The City is at risk at missing one of the scheduled events and must proceed without bidding at this time. Because services will be required in subsequent years, a bid will be issued in the future. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget Capital Improvements Fund/ Capital Improvements Projects/Other Costs/Deptford Tract Landfill (Account No. 311-9207-52842-SA601).

Savannah-Chatham Metropolitan Police Department Administrative Service Center (PB836) – Contract Modification No. 3 – Bid No. 09.202. Approval of Contract Modification No. 3 to Kern-Coleman, in the amount of \$12,600.00. The original contract was for the architectural design services to renovate the SCMPD Administrative Services Center at 3401 Edwin Street. The services include architectural and engineering services to produce the necessary construction documents and specification for the design, bidding, and contract administration of this facility. This contract modification is necessary because of architectural (\$4,100.00) and mechanical, electrical, and plumbing changes (\$6,750.00) requested by Information Technology, Police and Electrical Maintenance to the room layout, the access control plan, and the HVAC design for maintenance purposes; and site design changes (\$1,750.00) due to re-phasing and re-scheduling of the master plan for the Edwin Street property to coordinate this project with the site work associated with the administration building. The cumulative total of the agreement requires Council approval of this modification. The original contract was \$268,500.00. Contract Modification No. 1 was in the amount of \$24,000.00 for the design of two additional parking lots. Contract Modification No. 2 was in the amount of \$96,500.00 for modifications to the original design to combine the Fire-Police training facility. The total of all contract modifications to date including this modification is \$133,100.00 making the contract total price \$401,600.00. Funds are available in the 2013 Budget, Capital Improvement Projects/Other Costs/SCMPD Administrative Services Center (Account No. 311-9207-52842-PB0836).

Bull Street Fire Station No. 5 (PB423) – Contract Modification No. 5 – Bid No. 11.123. Approval of Contract Modification No. 5 to Dabbs-Williams General Contractors, LLC in the amount of \$32,859.26. The original contract was for the construction of the Bull Street Fire Station. This contract modification includes the re-routing of a fiber optic line that was required because of unforeseen conditions, an additional keypad requested by the Fire Department for 24 hour access, and several items, including re-working a street entrance, sidewalks and ramp required to bring the facility and site into ADA and life-safety compliance. The modification also includes 3 credits as well. The original contract was \$2,593,000.00. The total of all contract modifications to date including this modification is \$66,328.11 making the contract total

price \$2,659,328.11. Funds are available in the 2013 Budget, Capital Improvement Projects/Other Costs/Bull Street Fire Station (Account No. 311-9207-52842-PB0423).

Alderman Sprague requested that this item be pulled and asked for clarification on the contract modification items. Julie McLean, a member of the project team said some of the items were just necessary changes, but the biggest part of the change order involves a reworking of the sidewalk and entrance at 33rd Street. There was an elevation problem and the way it was constructed did not meet ADA or life-safety requirements. As one exits the building the slope was a little too steep, as well as the ramps that connect to the existing sidewalks at Whitaker and 33rd and accounted for \$27,000 of the total \$32,000 contract. Alderman Sprague had a few more questions regarding the requested modifications and the monetary impact. Ms. McLean stated that some of the changes were due to the consultant's design. Cara O'Rourke, Project Manager stated that the project is almost complete, and there were a couple of unused change orders that can be utilized to offset the budget. Alderman Sprague also stated that she would like to see what the second bid proposed and if there were any problems with the bidding. Alderman Osborne stated that these adjustments would still keep the project within budget. Ms. McLean concurred with her stating that the total amount of the change order is a small amount for a project of this magnitude. The project was budgeted for \$68,000 and only went a little over \$66,000, and a reserve in the project-funding budget was in place for this type of occurrence.

Alderman Hall asked if the second lowest bid had gotten the project would these modifications still have been necessary, and Ms. McLean responded yes. Alderman Sprague and Mayor Jackson both expressed their concerns about accepting the lowest bids and then getting change orders. Stephanie Cutter, City Manager stated she wanted to clarify that a portion of the change order has to do with a design flaw. The second low bidder may have done a perfect design, wherein the change order may have not been necessary. Upon a motion of Alderman Sprague, seconded by Alderman Shabazz and carried it was unanimously approved.

Runway 10-28 and 1-19 Rubber and Paint Removal/Repainting – Event No. 1116 – Savannah/Hilton Head International Airport. The Savannah Airport Commission requests approval of a contract with Speidel Construction, Inc. in the amount of \$227,011.30 for Runway 10-28 and 1-19 Rubber and Paint Removal/Repainting project. This project consists of removing rubber build up on the surface of two runways, removal of flaking and chipping paint on two runways, and repainting all markings on both runways per AC 150/5340-1K. Contractors shall have, at minimum, five (5) years of experience in layout and painting of markings on runways and taxiways per FAA Advisory Circular 150/5340-1K.

Contract for Professional Services with Ailevon Air Service Consulting, LLC – Savannah/Hilton Head International Airport. In order to supplement and enhance the Airport's efforts to attract new air service and/or new routes and destinations, the Savannah Airport Commission would like to enter into a formal contract for professional services with Ailevon, LLC. This agreement will be effective as of January 1, 2013,

through December 31, 2013. The total amount of compensation to Ailevon is a not-to-exceed sum of \$75,000.00, which is payable as individual work orders for airline events that Ailevon will attend as the Commission's representative for presentations to specific airlines. The agreement may be renewed annually if needed and may be terminated with seven days' written notice.

Video Wall – Savannah/Hilton Head International Airport. The Savannah Airport Commission requests approval of a contract with Infax, Inc. in the amount of \$77,657.00. As part of the Visitors Center modernization project, the Airport had programmed to install a new state-of-the-art integrated video wall which will provide a much better platform for communicating information to passengers in a first-class manner. A 2'x3' matrix was initially programmed for prior to final design of the millwork. Now that the Airport has the millwork and overhead signage installed, it has been determined that a 3'x 3' matrix would provide a much better presence. Additionally, it has been determined that the video wall can be run through the flight information displays (FIDs) system to further maximize the ability to provide the best information possible to customers. Flight status, general flight, weather, airport delays, gates and bag belt information will be available on the wall as needed through the FIDs system. In addition to providing dynamic customer service information, this wall will allow the Airport to offer advertising options to various businesses. The Airport received a quote from Infax, Inc. in the amount of \$77,657.00 for the 3'x 3' video wall with a video wall controller/management system. Infax, Inc. is the Airport's FIDs provider and this new video system will be an extension of the FIDs system. As such, this is sole source procurement and is included in the visitors center upgrade project budget.

April 18, 2013

The following announcements were made:

Alderman Shabazz said the City of Savannah and the GDOT will host a Project DeRenne meeting on April 23, 2013 from 3:00-7:00 p.m. at Savannah Tech. Mayor Jackson urge those citizens to attend. She also commended on the Tatemville Sound Wall being constructed and looking good. Alderman Shabazz stated that is a sample of the wall on display for those who would like to see the finish product.

Alderman Johnson announced the Youth Summit to be held May 13, 2013 the ages are 11-20. Pre registration is required by logging on to www.savannahga.gov/youthsummit. Parents are welcome to attend.

Mayor Jackson announced her two Round tables sub-committees have been meeting; Alderman Johnson committee and staff have provided a closure report. They have done a good job and have asked that they be allowed to continue meeting quarterly. Alderman Bell's next meeting on Small Business Round table will be April 24, 2013 a report will follow.

Aldermen Thomas and Shabazz were asked to serve as a part of the Landlord Responsibility Committee to provide structure in providing guidance in constructing an ordinance to address the concerns they have received.

Alderman Shabazz announced a flyer was provided them for Comcast Cares Day 2013 will sponsor a Playground Beautification and other organized projects will begin Tuesday, April 23, 2013 from 1-5 pm at the Wesley Community Center of Savannah at 1601 Drayton Street and the second is at Haven Elementary School Saturday, April 27, 2013 from 8:30 – 12:30.

Mayor Jackson announced that Leslie Conn of the Savannah Morning News will be leaving us as she has accepted a position at Gulfstream. On behalf of Council she thanked her and wished her well.

There being no further business, Mayor Jackson declared this meeting of Council adjourned.

A handwritten signature in black ink, reading "Dyanne C. Reese". The signature is written in a cursive, flowing style.

Dyanne C. Reese, MMC,
Clerk of Council